

# House Study Bill 568

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON BAUDLER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to an assault upon an employee of a jail or  
2 correctional institution, and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5961HC 81  
5 jm/je/5

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1 1 Section 1. Section 708.3B, Code 2005, is amended to read  
1 2 as follows:  
1 3 708.3B INMATE ASSAULTS == BODILY FLUIDS OR SECRETIONS.  
1 4 A person who, while confined in a jail or in an institution  
1 5 or facility under the control of the department of  
1 6 corrections, commits any of the following acts commits a class  
1 7 "D" felony:  
1 8 1. An assault, as defined under section 708.1, upon an  
1 9 employee of the jail or institution or facility under the  
1 10 control of the department of corrections, which results in the  
1 11 employee's contact with blood, saliva, seminal fluid, urine,  
1 12 or feces.  
1 13 2. An act which is intended to cause pain or injury or be  
1 14 insulting or offensive and which results in blood, saliva,  
1 15 seminal fluid, urine, or feces being cast or expelled upon an  
1 16 employee of the jail or institution or facility under the  
1 17 control of the department of corrections.  
1 18 EXPLANATION  
1 19 This bill relates to an assault upon an employee of a jail  
1 20 or correctional institution.  
1 21 The bill provides that an inmate who commits an assault as  
1 22 defined under Code section 708.1 upon an employee of a jail or  
1 23 correctional institution, which results in the employee's  
1 24 contact with the saliva of the inmate, commits a class "D"  
1 25 felony.  
1 26 The bill also provides that an inmate who performs an act  
1 27 which is intended to cause pain or injury or be insulting or  
1 28 offensive, and which results in saliva being cast upon an  
1 29 employee of a jail or correctional institution, commits a  
1 30 class "D" felony.  
1 31 An inmate commits a violation under current law if the  
1 32 assault or act is committed with blood, seminal fluid, urine,  
1 33 or feces.  
1 34 A class "D" felony is punishable by confinement for no more  
1 35 than five years and a fine of at least \$750 but not more than  
2 1 \$7,500.  
2 2 LSB 5961HC 81  
2 3 jm:nh/je/5